

CONGRESSIONAL RECORD SUMMARY

Thursday, September 6, 2001

SENATE

Measures Reported:

S. 543, to provide for equal coverage of mental health benefits with respect to health insurance coverage unless comparable limitations are imposed on medical and surgical benefits., with an amendment in the nature of a substitute. (Senate Report No. 107-61)

S. 1233, to provide penalties for certain unauthorized writing with respect to consumer products, with an amendment in the nature of a substitute.

Pages S 9197, D 869

Measures Passed:

Export Administration Act: By 85 yeas to 14 nays (Vote No. 275), **Senate passed S. 149**, to provide authority to control exports, after agreeing to the committee amendment in the nature of a substitute, and taking action on amendments proposed thereto.

Pages S 9130-46, S 9160-81, D 869

See Page S 9173: SEC. 503. PENALTIES. (Titles 18 & 28 mentioned)

See Pages S 9175-8: SEC. 506. ENFORCEMENT.

(e) Wiretaps.--

(1) Authority.--Interceptions of communications in accordance with section 2516 of title 18, United States Code, are authorized to further the enforcement of this Act.

(2) Conforming amendment.--Section 2516(1) of title 18, United States Code, is amended by adding at the end the following:

“(q)(i) any violation of, or conspiracy to violate, the Export Administration Act of 2001 or the Export Administration Act of 1979.”.

*(m) Authorization for Bureau of Export Administration.--The Secretary may authorize, without fiscal year limitation, the expenditure of funds transferred to, paid to, received by, or made available to the Bureau of Export Administration as a reimbursement in accordance with section 9703 of title 31, United States Code (as added by Public Law 102-393). **The Secretary may also authorize, without fiscal year limitation, the expenditure of funds transferred to, paid to, received by, or made available to the Bureau of Export Administration as a reimbursement from the Department of Justice Assets Forfeiture Fund in accordance with section 524 of title 28, United States Code. Such funds shall be deposited in an account and shall remain available until expended.***

See Page S 9178: SEC. 507. ADMINISTRATIVE PROCEDURES.

(1) Administrative procedures.--Any administrative sanction imposed under section 503 may be imposed only after notice and opportunity for an agency hearing on the record in accordance with sections 554 through 557 of title 5, United States Code. The imposition of any such administrative sanction shall be subject to judicial review in accordance with sections 701 through 706 of title 5, United States Code, except that the review shall be initiated in the United States Court of Appeals for the District of Columbia Circuit, which shall have jurisdiction of the review.

Measures Passed (Cont'd.):

Section 245(i) Extension Act: Senate passed H.R. 1885, to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings, after agreeing to the following amendment proposed thereto:

Pages S 9190-2, D 869

Reid (for Lott) Amendment No. 1532, in the nature of a substitute.

Pages S 9191-2, D 869

H.R. 2500. Commerce, Justice, State Appropriations--Agreement:

A unanimous-consent agreement was reached providing for consideration of H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, on Monday, September 10, 2001; and that once the bill is reported the Majority Manager or his designee be recognized to offer the text of the Senate Committee reported bill as a substitute amendment, that the amendment be considered agreed to as original text for the purpose of further amendments, provided that no points of order be waived by this agreement.

Pages S 9192, D 869

Committee Meetings:

Committee on the Budget: Committee concluded hearings to examine the Office of Management and Budget mid-session review and the budget and economic outlook.

Committee on the Judiciary: *Committee ordered favorably reported the following business items: S. 1233, to provide penalties for certain unauthorized writing with respect to consumer products, with an amendment in the nature of a substitute; and the nominations of Sharon Prost, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit, Reggie B. Walton, of the District of Columbia, to be United States District Judge for the District of Columbia, and Deborah J. Daniels, of Indiana, to be an Assistant Attorney General, and Richard R. Nedelkoff, of Texas, to be Director of the Bureau of Justice Assistance, both of the Department of Justice.*

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Congressional Program Ahead. Week Of September 10 Through September 15, 2001:

On Monday, at 12 noon, Senate will begin consideration of H.R. 2500, Commerce, Justice, State Appropriations Act.

During the balance of the week, Senate expects to resume consideration of H.R. 2500, Commerce, Justice, State Appropriations Act, and any other cleared legislative and executive business, including other appropriation bills when available.

Committee on Banking, Housing, and Urban Affairs: 9/12/01 @ 9:30 a.m. Full Committee, to hold oversight hearings to examine the Administration's national money laundering strategy for 2001. SD-538.

Committee on Governmental Affairs: 9/12/01 @ 9:30 a.m. To hold hearings to examine the security of critical governmental infrastructure. SD-342.

Congressional Program Ahead. Week Of September 10 Through September 15, 2001 (Cont'd.):

Committee on Health, Education, Labor, and Pensions: 9/12/01 @ 9:30 a.m. Full Committee, business

meeting to consider **S. 952**, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; **S. 928**, to amend the Age Discrimination in Employment Act of 1967 to require, as a condition of receipt or use of Federal financial assistance, that States waive immunity to suit for certain violations of that Act, and to affirm the availability of certain suits for injunctive relief to ensure compliance with that Act. SD-430.

Committee on Health, Education, Labor, and Pensions: 9/13/01 @ 10:00 a.m. Full Committee, to hold hearings to examine issues concerning protection against genetic discrimination and limits of existing laws. SD-430.

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Committee on Health, Education, Labor, and Pensions: 9/13/01 @ 2:00 p.m. Subcommittee on Public Health, to hold hearings to examine the protection of human subjects in research. SD- 430.

Committee on the Judiciary: 9/11/01 @ 10:30 a.m. To hold hearings on the nomination of *John P. Walters*, of Michigan, to be *Director of National Drug Control Policy*. SD-226.

Committee on the Judiciary: 9/12/01 @ 9:00 a.m. Subcommittee on Immigration, to hold hearings to examine **S. 1265**, to amend the Immigration and Nationality Act to require the Attorney General to cancel the removal and adjust the status of certain aliens who were brought to the United States as children. SD-226.

Committee on the Judiciary: 9/12/01 @ 2:00 p.m. Subcommittee on Technology, Terrorism, and Government Information, to hold hearings to examine **S. 1055**, *to require the consent of an individual prior to the sale and marketing of such individual's personally identifiable information*. SD-226.

Committee on the Judiciary: 9/13/01 @ 2:00 p.m. *Full Committee, to hold hearings on pending nominations*. SD-226.

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HOUSE

Bills Introduced:

H.R. 2863. A bill to direct the Secretary of Health and Human Services to establish and maintain a panel to provide expert scientific recommendations in the field of cell development; to the Committee on Energy and Commerce.

McDermott

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H.R. 2865. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to require a sequestration of discretionary non-defense spending for fiscal year 2002 equal to the size of any on-budget deficit for fiscal year 2001; to the Committee on the Budget.

Rogers

Page H 5455

H. Con. Res. 220. Concurrent resolution affirming the commitment of Congress to preserving the sovereignty of the United States and the integrity of its border; to the Committee on the Judiciary.

Tancredo

Page H 5455

Committee Meetings:

Committee on Appropriations: Subcommittee on the District of Columbia approved for full Committee action the District of Columbia appropriations for fiscal year 2002.

Committee on Education and the Workforce: Subcommittee on Employer- Employee Relations held a hearing on "*Genetic Non-Discrimination: Implications for Employer Provided Health Care Plans.*"
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Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit began markup of **H.R. 1701**, Consumer Rental Purchase Agreement Act.

Committee on Government Reform: Subcommittee on Technology and Procurement Policy held a hearing on "*Toward a Telework-Friendly Government Workplace: An Update on Public and Private Approaches to Telecommuting.*"

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on **H.R. 476**, Child Custody Protection Act.

Committee on Transportation and Infrastructure: *Subcommittee on Economic Development, Public Buildings and Emergency Management held a hearing on H.R. 307, Federal Protection Service Reform Act.*

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Joint Committee Meeting For Friday, September 7, 2001:

Commission on Security and Cooperation in Europe: @ 10:30 a.m. To hold a joint briefing to examine research data on domestic violence and the extent to which governments, particularly law enforcement authorities, have fulfilled their responsibilities to protect individuals from such abuse, focusing on U.S. models for providing services to victims of domestic violence, including the response of faith-based communities. 2200 Rayburn Building.

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Congressional Program Ahead. Week Of September 10 Through September 15, 2001:

Committee on Appropriations, 9/13/01 @ 9:30 a.m. Subcommittee on Commerce, Justice, State and Judiciary, on OxyContin. 2359 Rayburn.

Committee on the Budget, 9/13/01 @ 10:00 a.m. *Hearing on The Imperative to Reform: Addressing the Unsustainability of Social Security.* 210 Cannon.

Committee on Government Reform, 9/13/01 @ 10:00 a.m. Full Committee, hearing entitled "*The Need for Congressional Oversight of the Justice Department.*" 2154 Rayburn.

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Remarks:

Requiring A Report On The Operations Of The State Justice Institute.
Conyers *Page E 1596*

Providing For Appeals By Third Parties In Certain Patent Reexamination Proceedings.
Conyers *Page E 1598*

Introduction Of Legislation To Protect The Privacy Rights Of Our Nation's Uniformed Service Members.

"...The need for this legislation arises from a September 2000 federal district court ruling which stated that military service members cannot sue for damages when records containing information about them, which under the terms of the Privacy Act may not be released, are released by the government in violation of the Privacy Act. The Court based its ruling on the Feres doctrine, a 51 year old judge-made doctrine which states that service members cannot bring civil actions against the government for acts incident to service because they have benefits available through their military health and other programs. As a result of this ruling, there is no effective way to prevent the unauthorized release of sensitive military personnel records and no way to compensate service members for damages arising from acts by government agencies that are in violation of the Privacy Act..."

Boucher

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Next SENATE MEETING: Monday, 11:00 a.m., September 10, 2001.

Next HOUSE MEETING: Monday, 12:30 p.m., September 10, 2001.

OLA: S. Schwarz (Smith), J. Homanich